



PATENT APPLICATION

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In re the Application of

Akio KOBAYASHI et al.

Group Art Unit: 1632

Application No.: 10/041,633

Examiner: Valarie Bertoglio

Filed: January 10, 2002

Docket No.: 111632

For: METHOD FOR PROCESSING CELLS

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the September 30, 2003 Election of Species Requirement, Applicants

provisionally elect the Species nucleus as the foreign matter, disclosed in paragraph [0037],
with traverse.

In further response to the Election of Species Requirement, Applicants respectfully assert that at least claims 1, 8 and 15 are generic to the elected species. Furthermore, Applicants respectfully assert that at least claims 1-9 and 11-15 read on the elected species.

Applicants traverse the election of species requirement on the ground that the generic claims are not so broad as to place an undue burden on the Patent Office to search and examine the full scope of the claims. Rather, Applicants respectfully assert that search and examination of the entire application could be conducted without undue burden on the Examiner, thus avoiding delay and expense to Applicants.

Applicants further understand, however, that upon search, examination and allowance of the elected species, search and examination will continue as to the non-elected species within the scope of the generic claims.

Favorable consideration of the application is respectfully requested. Should the Examiner have any questions regarding the application, or any suggestions to expedite prosecution, she is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

David E. Brown
Registration No. 51,091

JAO:DEB/tbh

Date: November 5, 2003

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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